

Calendar No. 712

110TH CONGRESS
2D SESSION**H. R. 3513**

IN THE SENATE OF THE UNITED STATES

APRIL 23, 2008

Received; read twice and placed on the calendar

AN ACT

To amend the Oregon Wilderness Act of 1984 to designate the Copper Salmon Wilderness and to amend the Wild and Scenic Rivers Act to designate segments of the North and South Forks of the Elk River in the State of Oregon as wild or scenic rivers, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Copper Salmon Wilder-
5 ness Act of 2008”.

1 **SEC. 2. DESIGNATION OF THE COPPER SALMON WILDER-**
2 **NESS.**

3 (a) DESIGNATION.—Section 3 of the Oregon Wilder-
4 ness Act of 1984 (16 U.S.C. 1132 note; Public Law 98–
5 328) is amended—

6 (1) in the matter preceding paragraph (1), by
7 striking “eight hundred fifty-nine thousand six hun-
8 dred acres” and inserting “871,593 acres”;

9 (2) in paragraph (29), by striking the period at
10 the end and inserting “; and”; and

11 (3) by adding at the end the following:

12 “(30) certain land in the Siskiyou National
13 Forest, comprising approximately 11,922 acres, as
14 generally depicted on the map entitled ‘Copper
15 Salmon Wilderness Proposal’ and dated April 1,
16 2008, to be known as the ‘Copper Salmon Wilder-
17 ness’.”.

18 (b) MAPS AND LEGAL DESCRIPTION.—

19 (1) IN GENERAL.—As soon as practicable after
20 the date of enactment of this Act, the Secretary of
21 Agriculture (referred to in this Act as the “Sec-
22 retary”) shall file a map and a legal description of
23 the Copper Salmon Wilderness with—

24 (A) the Committee on Energy and Natural
25 Resources of the Senate; and

1 (B) the Committee on Natural Resources
2 of the House of Representatives.

3 (2) FORCE OF LAW.—The map and legal de-
4 scription filed under paragraph (1) shall have the
5 same force and effect as if included in this Act, ex-
6 cept that the Secretary may correct typographical
7 errors in the map and legal description.

8 (3) BOUNDARY.—If the boundary of the Copper
9 Salmon Wilderness shares a border with a road, the
10 Secretary may only establish an offset that is not
11 more than 150 feet from the centerline of the road.

12 (4) PUBLIC AVAILABILITY.—Each map and
13 legal description filed under paragraph (1) shall be
14 on file and available for public inspection in the ap-
15 propriate offices of the Forest Service.

16 **SEC. 3. WILD AND SCENIC RIVER DESIGNATIONS, ELK**
17 **RIVER, OREGON.**

18 Section 3(a)(76) of the Wild and Scenic Rivers Act
19 (16 U.S.C. 1274(a)(76)) is amended—

20 (1) in the matter preceding subparagraph (A),
21 by striking “19-mile segment” and inserting “28.2-
22 mile segment”;

23 (2) in subparagraph (A), by striking “; and”
24 and inserting a period; and

(3) by striking subparagraph (B) and inserting the following:

“(B)(i) The approximately 0.6-mile segment of the North Fork Elk from its source in sec. 21, T. 33 S., R. 12 W., Willamette Meridian, downstream to 0.01 miles below Forest Service Road 3353, as a scenic river.

“(ii) The approximately 5.5-mile segment of the North Fork Elk from 0.01 miles below Forest Service Road 3353 to its confluence with the South Fork Elk, as a wild river.

“(C)(i) The approximately 0.9-mile segment of the South Fork Elk from its source in the southeast quarter of sec. 32, T. 33 S., R. 12 W., Willamette Meridian, downstream to 0.01 miles below Forest Service Road 3353, as a scenic river.

“(ii) The approximately 4.2-mile segment of the South Fork Elk from 0.01 miles below Forest Service Road 3353 to its confluence with the North Fork Elk, as a wild river.”.

SEC. 4. PROTECTION OF TRIBAL RIGHTS.

(a) IN GENERAL.—Nothing in this Act shall be construed as diminishing any right of any Indian tribe.

1 (b) MEMORANDUM OF UNDERSTANDING.—The Sec-
2 retary shall seek to enter into a memorandum of under-
3 standing with the Coquille Indian Tribe regarding access
4 to the Copper Salmon Wilderness to conduct historical and
5 cultural activities.

6 **SEC. 5. DESIGNATION OF POTENTIAL WILDERNESS AREA,**
7 **SISKIYOU NATIONAL FOREST, OREGON.**

8 (a) DESIGNATION.—In furtherance of the purposes of
9 the Wilderness Act (16 U.S.C. 1131 et seq.), certain Na-
10 tional Forest System land in the State of Oregon adminis-
11 tered by the Forest Service as part of the Siskiyou Na-
12 tional Forest and compromising approximately 1,708
13 acres, as generally depicted on the map entitled “Copper
14 Salmon Wilderness Proposal” and dated April 1, 2008,
15 are designated as a potential wilderness area for eventual
16 inclusion in the Copper Salmon Wilderness designated by
17 paragraph (30) of section 3 of the Oregon Wilderness Act
18 of 1984 (16 U.S.C. 1132 note; Public Law 98–328), as
19 added by section 2.

20 (b) MAP AND LEGAL DESCRIPTION.—As soon as
21 practicable after the date of the enactment of this Act,
22 the Secretary shall file with the Committee on Natural Re-
23 sources of the House of Representatives and the Com-
24 mittee on Energy and Natural Resources of the Senate
25 a map and legal description of potential wilderness area

1 designated by subsection (a). The map and legal descrip-
2 tion shall have the same force and effect as if included
3 in this Act, except that the Secretary may correct clerical
4 and typographical errors in the map and description. In
5 the case of any discrepancy between the acreage specified
6 in subsection (a) and the map, the map shall control. The
7 map and legal description shall be on file and available
8 for public inspection in the Office of the Chief of the For-
9 est Service.

10 (c) MANAGEMENT.—Except as provided in subsection
11 (d) and subject to valid existing rights, the Secretary shall
12 manage the potential wilderness area designated by sub-
13 section (a) as wilderness until its designated as wilderness
14 under subsection (e).

15 (d) ECOLOGICAL RESTORATION.—

16 (1) IN GENERAL.—For the purposes of imple-
17 menting the planned ecological restoration approved
18 by the Decision Notice and Finding of No Signifi-
19 cant Impact for the Environmental Assessment for
20 the Coastal Healthy Forest Treatments, dated May
21 25, 2007, the Secretary may use motorized equip-
22 ment and mechanized transport in the potential wil-
23 derness area until its designated as wilderness under
24 subsection (e).

1 (2) LIMITATION.—To the maximum extent
2 practicable, the Secretary shall use the minimum
3 tool or administrative practice necessary to accom-
4 plish ecological restoration under paragraph (1) with
5 the least amount of adverse impact on wilderness
6 character and resources.

7 (e) EVENTUAL WILDERNESS DESIGNATION.—The
8 potential wilderness area designated by subsection (a)
9 shall be designated as wilderness on the earlier of—

10 (1) the date on which the Secretary publishes in
11 the Federal Register notice that the conditions in
12 the potential wilderness area that are incompatible
13 with the Wilderness Act (16 U.S.C. 1131 et seq.)
14 have been removed; or

15 (2) the date that is 10 years after the date of
16 the enactment of this Act.

17 (f) INCORPORATION INTO COPPER SALMON WILDER-
18 NESS; ADMINISTRATION.—On its designation as wilder-
19 ness under subsection (e), the potential wilderness area
20 designated by subsection (a) shall be—

21 (1) incorporated into the Copper Salmon Wil-
22 derness; and

23 (2) administered in accordance with the Wilder-
24 ness Act, the Oregon Wilderness Act of 1984, and
25 other laws applicable to the Copper Salmon Wilder-

ness, except that, with respect to the potential wil-
derness area, any reference in the Wilderness Act to
the effective date of that Act shall be deemed to be
a reference to the date on which the lands are des-
ignated as wilderness under subsection (e).

Passed the House of Representatives April 22, 2008.

Attest: LORRAINE C. MILLER,
Clerk.

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